

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

DANIEL ALEJANDRO ALANIS,
Plaintiff,

v.

CITY OF BROWNSVILLE and
ANTONIO MARTINEZ
Defendants.

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Civil Action No. 1:16-cv-190

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Before this Court is the "Magistrate Judge's Report and Recommendation" (Docket No. 33) in the above-referenced civil action. Plaintiff and Defendants both filed timely objections. *See* Docket Nos. 34, 35. After a *de novo* review of the record and the parties' objections, the Magistrate Judge's Report and Recommendation is hereby **ADOPTED**.

It is hereby **ORDERED** that "Defendant Anthony Martinez's Motion for Summary Judgment" (Docket No. 18) is **DENIED** and "Defendant City of Brownsville's Motion for Summary Judgment" (Docket No. 19) is **GRANTED**. Accordingly, all claims asserted against the City of Brownsville are hereby **DISMISSED** with prejudice and the City of Brownsville is hereby **DISMISSED** as a party to the instant matter. In addition, Plaintiff's Fourteenth Amendment claim against Defendant Antonio Martinez is also hereby **DISMISSED**. For clarity, Plaintiff's Fourth Amendment claim against Defendant Antonio Martinez is the sole cause of action that remains.

Signed on this 24th day of July, 2018.



Rolando Olvera
United States District Judge